

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Wookey, Kenneth C. Gross, Lawrence G. Votta, Jr.

Assignee: Sun Microsystems, Inc.

Title: NEAREST NEIGHBOR APPROACH FOR IMPROVED TRAINING OF REAL-TIME HEALTH MONITORS FOR DATA PROCESSING SYSTEMS

Patent No.: 7,243,265 Issue Date: July 10, 2007

Examiner: Brian J. Assessor Group Art Unit: 2114

Docket No.: SUN030047-US-NP

Mail Stop Petition
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF A PATENT ABANDONED FOR FAILURE TO
NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING UNDER
37 CFR §1.137 (b,f)**

Dear Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. §1.137(b,f) to revive, as necessary, the above-referenced patent. Applicants are filing this Petition for Revival after the patent has issued (*see* MPEP 1124).

Subsequent to the filing of the application that led to the above-referenced patent, a co-pending application containing the same or similar disclosure had a counterpart application filed in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The co-pending application was U.S. Provisional App. Serial No. 60/469,767 and the foreign filed counterpart of that application is PCT Application No. PCT/US04/014738, filed on May 12, 2004. The issue fee for the above-referenced patent was paid on June 4, 2007 and

the patent issued on July 10, 2007. Applicants submit that, in the event the Examiner determines that the above-referenced patent is or may be abandoned, the entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR §1.137(b) was unintentional.

The fees are enclosed in the amount of \$1860.00 for the required fee under 37 C.F.R. §1.17(m), and any other fees necessary may be charged to Deposit Account No. 50-1419.

Respectfully submitted,



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